



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,055	10/11/2001	Takeshi Shimizu	028918.01	7629

25944 7590 01/14/2003

OLIFF & BERRIDGE, PLC  
P.O. BOX 19928  
ALEXANDRIA, VA 22320

EXAMINER
----------

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 01/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/974,055

Applicant(s)

SHIMIZU ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/4/02.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to communications: request for reconsideration filed 11/4/02 to the application filed on 10/11/01 which is a continuation of the application 08/938,973 filed on 9/26/97, now US Pat No. 6,374,271.

2. Claims 1-14 are pending in the case. Claims 1, 6, 10, 13 are the independent claims.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2178

5. Claims 1-12 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Nehab et al. (US Pat No. 6,029,182, 2/22/00, 10/4/96).

Regarding independent claim 1, Nehab discloses:

- a user interface (col 4, lines 40-57)
- a memory (abstract, col 4, lines 30-35)
- a goal outline *comprising organization of document information content (figures 3A-3B and col 6, lines 20-57: the tree structure of the homepage site #21 shows the organization of the homepage 22 content and the extracted data 27 is the organization of the extracted data for the homepage 22)*
- a presentation outline (col 3, lines 15-32, 45-49: the various layout formats of personalized documents; col 4, lines 13-45: the formats of a document are available for users to select or to change as desired)
- a linking between the goal outline and the presentation outline to create a document based on user inputs (col 3, line 50 to col 4, line 45: the layout format and the data to create a homepage are combined to produce personalized documents)
- authoring a document (abstract; col 3, lines 15 to col 4, lines 1-12, 40-45; col 8, lines 10-18, create and edit a personalized document)

Nehab does not explicitly disclose that the document authoring device comprises a controller coupled to the user interface and the memory that links the goal outline and the presentation outline. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Nehab to include a

Art Unit: 2178

controller coupled to the user interface and the memory that links the goal outline and the presentation outline because of the following reason. The fact that Nehab has the ability of creating a *personalized document by combining the data structured in tree form retrieved from the websites and the user-defined format* suggests that Nehab perform linking these data and so include a linking unit. Otherwise, a personalized document can not be created.

Regarding claim 2, which is dependent on claim 1, Nehab discloses that the user interface includes a display device, the controller displaying the goal outline display on the display device and generating the goal outline based on the input that relates to the goals outline display (col 3, lines 15-32, 50-65; col 4, lines 1-12, 40-45; figure 9B).

Regarding claim 3, which is dependent on claim 2, Nehab discloses:

- document prototype stored in the memory (col 8, lines 10-18, document templates store the formats of documents)
- instantiating the document prototype based on the input (user specifies a desired template (col 8, lines 10-18; col 4, lines 40-45))

Regarding claims 4 and 5, Nehab discloses linking between the document prototype to the card in the memory selected by the input, and generating a card and linking the card to the goals outline based on the input (col 3, lines 15-67 to col 4, lines 1-45, linking

Art Unit: 2178

between the layout format and the data selected by the input for formatting a document).

Nehab does not use the same terminology: a card contained in the memory to store data information. However, as disclosed in the specification of the invention, a card is merely where to store data (page 5, lines 29-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Nehab to include the cards for storing data contained in a memory since the web sites storing information data for creating documents in Nehab (col 4, lines 15-32) suggests the card database in the memory.

Regarding independent claim 6, Nehab discloses:

- storing data in a memory (abstract, col 4, lines 30-35)
- receiving an input through a user interface (col 4, lines 40-45; col 9, lines 62 to col 10, lines 1-6; figure 9A; col 14, lines 6-18)

Nehab does not explicitly disclose linking the goals outline to the document presentation outline based on the input and the data to at least partially author the document, wherein the document goals outline comprises organization of document information content and the document presentation outline comprises appearance characteristics. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Nehab to include linking the goals outline to the document presentation outline based on the input and the data to at least partially author the document, wherein the document goals outline comprises information

content and the document presentation outline comprises appearance characteristic because of the following reason. *Nehab discloses the organization of the homepage content (figures 3A-3B and col 6, lines 20-57, the tree structure of the homepage site #21 shows the organization of the homepage). The fact that Nehab has the ability of creating a personalized document by combining the data structured in tree form retrieved from the websites and the user-defined format suggests that Nehab provides the linking feature.*

Regarding claim 7, which is dependent on claim 6, Nehab discloses displaying a goals outline display on a display device and generating the goals outline based on the input that relates to the goals outline display (col 3, lines 15-32, 50-65; col 4, lines 1-12, 40-45; figure 9B).

Regarding claim 8, which is dependent on claim 7, Nehab discloses:

- generating a logical structure of the goals outline by instantiating a document prototype selected by the input (col 8, lines 10-18, document templates store the formats of documents)
- linking the instantiated document prototype to a card selected by the input (col 8, lines 10-18; col 4, lines 40-45)

Regarding claim 9, which is dependent on claim 8, Nehab does not disclose:

- generating a card

- linking the card to the goals outline based on the input

Nehab discloses generating containers storing data retrieved from the hypermedia document and formatting the retrieved data to conform to the document format via the user interface interaction

Nehab discloses generating containers for storing data retrieved from the hypermedia document, storing containers in the memory, and formatting the retrieved data to conform to the document format via the user interface interaction (col 4, lines 13-45:

"..wherein the scope is based on a structure of the hypermedia document, and a format is specified for formatting the data retrieved from the hypermedia document into the personalized document... the hypermedia *document found at the specified location is accessed, data retrieved from the hypermedia document* ...data is formatted into a personalized document in accordance with the specified format ... the system accesses the hypermedia document, extracts addresses from the hypermedia document, and stores the addresses extracted from the hypermedia document in a container. The system activates a processing function to process data stored at the addresses stored in the container, **downloads the data stored at the addresses stored in the container into a memory...** by virtue of the **graphical user interface, a user interactively set a document's format and change that format should a change be desired**").

It was well known that a hypermedia document containing video, audio and text data.

Nehab discloses generating containers with video, audio, and text data retrieved from



Art Unit: 2178

hypermedia documents and storing container in memory. Nehab, therefore, suggests generating the cards as claimed.

Nehab further discloses linking between the data in the URLs list selected by the input and the logical structure of a document for formatting a document (col 3, lines 15 to col 4, lines 1-45, figure 9B: data stored in the URLs listed in the container content).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Nehab to include linking the card to the goals outline based on the input because of the following reason. As mentioned above, the container (equivalent to the card) is where to store hypermedia data such as video, audio and text and the container data is formatted to conform to the predefined configuration of the document (col 4, lines 26-38).

Independent claim 10 includes the same limitations as that of independent claim 6, and is rejected under the same rationale. Independent claim 10 further includes:

- receiving external information by the controller
- generating a card based on the external information
- storing the card as data in the memory

As mentioned above in independent claim 6, Nehab discloses receiving an input through a user interface (col 4, lines 40-45, col 9, lines 62 to col 10, lines 1-6; figure 9A, col 14, lines 6-18, data included in a formatted web document is received as a user input in the URL field on the user interface).

Art Unit: 2178

Nehab also discloses generating a card based on the external information (col 3, lines 15 to col 4, lines 1-45, format the data for a personalized document based on a user defined formatting commands where the commands are considered as external information entered by the user).

Nehab does not disclose storing the card in the memory. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated the storing step into Nehab since it was well known in the art that the data after created should be stored in a memory for later use.

Regarding claims 11 and 12, which are dependent on claim 10, Nehab discloses:

- generating an imported card step accepts the external information already in a desired card structure as the imported card (col 3, lines 30-49, the data from the web sites and the stored format information is applied for formatting a personalized document)
- generating an imported card step translates the external information into a desired card structure (col 3, lines 50-65, formatting a personalized document based on the data from the *user defined* Web site address information, *user defined* Web site commands and *user defined formatting commands* implies that data from the external information is not in a desired format and so said data needs to be translated into a desired form based on the user defined formatting commands)

Art Unit: 2178

6. Claims 13-14 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Brewer et al. (US Pat No. 5,347,628, 9/13/94).

Regarding independent claim 13, Brewer discloses:

- receiving inputs through a user interface (abstract, figure 2, col 3, line 62 to col 4, lines 1-20)
- displaying on the display device a meta-level display (figure 2, meta-level display – office-desk-drawer-files)

Brewer does not disclose explicitly linking a goal outline *comprising organization of document information content* to a presentation outline based on the input and the data. *Instead, Brewer discloses the organization of the office content which includes a desk, a cabinet, and a trash can wherein the cabinet includes drawers, and the desk includes drawers containing files, and a desktop, a calendar, and an in/out basket (figures 1-3). Brewer also discloses the presentation of the office with the positions of the desk, the cabinet, and the trash can. Brewer's disclosures, therefore, suggest the goal outline, which is the organization of the content of the office, and the presentation outline, which is the presentation of the office.*

*The fact that when a user wants to work with the files in the drawer, the user can put the cursor on the drawer to pull the drawer open until the files that he/she is interested in appears in the window (col 3, line 62 to col 4, lines 1-20 and figure 3) shows linking the organization of the office and the presentation of the office based on the input and the data.*

Art Unit: 2178

Brewer does not explicitly disclose the storing of data in the memory. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Brewer to include storing data in the memory since conventionally, the data when created should be stored in a memory for later use.

Regarding claim 14, Brewer discloses that the meta-level display is one of a kitchen image, an office image, and a studio image (figure 2, this is an office image includes a meta-level display of an office-desk-drawer-files display).

### ***Response to Arguments***

7. Applicant's arguments filed 11/4/02 have been fully considered but they are not persuasive.

Applicants argue that figure 3A in Nehab does not disclose or suggest a goal outline which "comprises organization of document information content ... of the document" since figure 3A is not the organization of the document content to be authored. Rather, figure 3A is merely a graphical presentation of the information content in the homepage and at least one item on another web-site, and a homepage on the Internet is not a document to be authored by Nehab (remark, page 2).

Examiner disagrees.

Nehab discloses authoring (creating and modifying) a document, which is a home page (col 3, line 15 to col 4, lines 1-12, 40-45; col 8, lines 10-18). Nehab also discloses the

Art Unit: 2178

organization of the content of the web page including indexes and articles (figures 3A-3B; col 9, lines 17-24: "this data tree is a linked list that reflects the organization of the data retrieved from the Web"). Since this homepage is a document to be authored by Nehab, and figures 3A-B show the organization of the content of the document, figures 3A-3B suggest the goal outline as claimed.

Regarding independent claim 1, Applicants argue that Nehab does not disclose or suggest the recited linking feature of the goal outline to the document presentation outline based on the input and the data to at least partially author the document wherein the document goal outline comprises organization of document information content and the presentation outline comprises document appearance characteristics (Remark, pages 2-3).

Examiner disagrees.

As mentioned above, Nehab discloses authoring the web page represented by figure 3A, where the homepage can be created and modified by a user input (col 3, lines 15-29: "the invention retrieves articles from a hypermedia-linked computer network and formats the articles into a personalized newspaper"; col 4, lines 40-45: "the graphical user interface comprises plural processing icons, one of which activates the processing function. By virtue of the graphical user interface, a user can interactively set a document's format and change that format should a change be desired"; col 8, lines 10-

18: "format editor allows a user to specify personalized templates for formatting a newspaper, either by editing existing templates or by creating a new ones..."). Nehab discloses authoring documents by formatting and modifying articles retrieved from the network to generate a personalized newspaper. Nehab, therefore, suggests linking of the organization of content of the web page (which is the goal outline) and the format of the web page (which is the presentation of the web page).

Regarding claim 2, which is dependent on claim 1, Applicants argue that Nehab does not display a goal outline which comprises organization of document information content on the display device and does not generate the goal outline based on the input that relates to the goal outline display. Applicants further argue that figure 3A of Nehab is not disclosed as being displayed to a user and figure 9 which discloses a display to a user but is not the goal outline.

Examiner agrees that figure 3A of Nehab, though shows the organization of a document information content, is not a display to a user whereas figure 9 which discloses the display to the user but is not the goal outline.

However, Nehab discloses formatting the retrieved data from a hypermedia document so that the *extracted data conforms the required organization of the homepage* (col 4, lines 13-39). This suggests generating the goal outline based on the input data retrieved from the Internet.

Art Unit: 2178

Though Nehab does not disclose explicitly these features on the display to users, Nehab does provide a user interface for users to interact with the data in the memory (col 4, lines 46-57). The user interface in Nehab, therefore, suggests displaying the goal outline on the display device for generating the organization of the homepage based on the input data.

Regarding claim 3, Applicants argue that Nehab does not disclose a controller coupled to a user interface and a memory that links a goals outline comprising organization of document data and a presentation outline for the same document, and that Nehab does not need such a controller (Remark, page 3, paragraphs 4 and 5).

Examiner disagrees.

Though Nehab does not explicitly disclose the claimed controller, Nehab does disclose linking the organization of the content of the document, which is considered as the goal outline, and the format of the document, which is considered as the presentation outline, to produce a customized homepage (col 4, lines 13-45; col 3, lines 15-65; figures 3A-B and col 6, lines 20-57: the extracted data tree 27 is the organization of the content data for the homepage 22). Nehab discloses the linking feature. The function of the claimed controller is to link the organization of the content of a document and the format of a document. Nehab, therefore, suggests a unit whose function be the same as the claimed controller.

Art Unit: 2178

Regarding claims 4-5, Applicants argue that Nehab does not disclose that the memory contains a card and linking the instantiated document prototype to the card selected by the input received through the user interface. Applicants further argue that the assertion in the Office Action that a card is merely where to store data is incorrect. According to Applicants, the cards contain the actual hypermedia information such as video, sound or text that make up the document (Remark, page 5, last paragraph to page 6, first paragraph).

Examiner disagrees.

Nehab discloses generating containers storing data retrieved from the hypermedia document and formatting the retrieved data to conform to the document format via the user interface interaction (col 4, lines 13-45: "...wherein the scope is based on a structure of the hypermedia document, and a format is specified for formatting the data retrieved from the hypermedia document into the personalized document... the hypermedia *document found at the specified location is accessed*, data retrieved from the hypermedia document ...data is formatted into a personalized document in accordance with the specified format ... the system accesses the hypermedia document, extracts addresses from the hypermedia document, and stores the addresses extracted from the hypermedia document in a container. The system activates a processing function to process data stored at the addresses stored in the container, **downloads the data stored at the addresses stored in the container into**



Art Unit: 2178

**a memory... by virtue of the graphical user interface, a user interactively set a document's format and change that format should a change be desired").**

It was well known that a hypermedia document containing video, audio and text data. Nehab discloses generating containers and storing container in memory via the user interface where the data stored in containers are video, audio, and text data retrieved from hypermedia documents. Nehab, therefore, suggests a memory contains the cards (equivalent to containers) and linking the instantiated document prototype to the card selected by the input received through the user interface.

Regarding claims 6-9, since Nehab discloses and suggests the features of claims 1-3, and 5 as mentioned above, Nehab discloses and suggests the method corresponding to the apparatus features recited in claims 1-3 and 5.

Regarding independent claim 10, Applicants argue that since claim 10 recites a method similar to the method of claim 9, and Nehab does not disclose the feature of claim 9, Nehab does not disclose the feature of claim 10 (Remark, page 7, 2<sup>nd</sup> paragraph).

Examiner disagrees.

As mentioned above, Nehab discloses and suggests the features of claims 1-3, 5-6, 9. Nehab, therefore, discloses and suggests claim 10.

Art Unit: 2178

Regarding claim 13, Applicants argue that the Office Action alleged that Brewer suggests a goal outline, a presentation outline, and linking of the goal outline and the presentation outline (Remark, page 7, 4<sup>th</sup> paragraph to page 8, 1<sup>st</sup> paragraph).

Examiner disagrees.

The office as disclosed in Brewer (figures 1-3 and col 3, lines 62 to col 4, lines 1-20) is a graphics file created to show a meta-level display (office-desk-drawers-files) which includes both the organization of an office content (a desk, a cabinet and a trash can, wherein the cabinet contains drawers and the desk includes drawers containing files and a desktop, a calendar and an in/out basket) and the presentation of the office (positions of these office items).

Applicants also argue that the Office Action alleged that it would be obvious to include storing data in memory to Brewer because “conventionally, the data when created should be stored in a memory for later use” (Remark, page 8, 2<sup>nd</sup> paragraph).

Examiner disagrees.

It was well known that once a file is created, the file data should be stored in the memory. Therefore, the office file as created inherently shows that the data of the office file is stored in the memory.

Regarding claim 14, Applicants argue that the Office Action alleged that Brewer discloses a meta-level display of one of a kitchen image, an office image and a studio

Art Unit: 2178

image and the rejection fails to consider the fact that claims 13 and 14 recite a method of authoring a document (Remark, page 8).

Examiner disagrees.

The office in Brewer (office-desk-drawers-files) is a meta-level display of an office image. The fact that the office file is created to be displayed on the screen suggests authoring a document since creating a graphics document is implied in Brewer.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

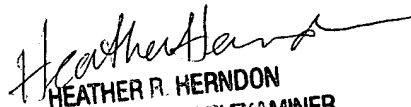
Art Unit: 2178

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 707-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh  
1/7/03

  
HEATHER R. HERNDON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100